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09/955,334

Attorney Docket No. 011109

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Hiroshi KAWAI**

Group Art Unit: 3724

Serial No.: 09/955,334

Examiner: **Dexter, Clark F.**

Filed: **September 19, 2001**

P.T.O. Confirmation No.: **9587**

FOR: **TURRET PUNCH PRESS**

Customer No.: **38834**

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 1.181(a)

Mail Stop Petitions

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 16, 2004

Sir:

On March 9, 2004, the Patent Office has issued a Notice of Abandonment indicating that the above-identified application is abandoned for "failure to timely file a proper reply to the Office letter mailed on 27 August, 2003" and "No reply has been received."

The Undersigned Attorney hereby declares that an Amendment prepared under 37 CFR 1.111 has been filed to the U.S. Patent & Trademark Office on November 21, 2003. In fact, the U.S. Patent & Trademark Office acknowledges receipt of the Amendment in a return postcard. A copy of the Amendment filed on November 21, 2003 and a copy of the postcard are enclosed herewith.

For the foregoing reasons, the Undersigned Attorney has indeed made a timely reply on November 21, 2003, and the timely reply was indeed received by the USPTO. It

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is apparent that the USPTO has since lost the filed Amendment, thus leading to the Notice of Abandonment mailed on March 9, 2004.

Therefore, the Undersigned Attorney respectfully requests under 37 CFR 1.181(a) and MPEP 711.03(c)(I) that the holding of abandonment be withdrawn.

Though it is clearly stated in MPEP 711.03(c)(I) that where an applicant contends that the application is not in fact abandoned, a petition under 37 CFR 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course of action and such petition does not require a fee, in case of oversight, the Commissioner is hereby authorized to charge any underpayment of fees or credit any overpayment of fees in connection with this communication to Deposit Account Number 50-2866.

Respectfully submitted,



Michael N. Lau
(Registration No. 39,479)
1250 Connecticut Ave., N.W.
Suite 700
Washington, DC 20036
202-822-1100 (Phone)
202-822-1111 (Fax)

MNL/asc

Enclosure: Amendment as filed on November 21, 2003

A copy of postcard receipt dated November 21, 2003

Q:\2001\011109\011109 petition to withdraw holding of abandonment under 1.181(a).doc

U.S. Patent Application

Docket No: 011109

Serial No.: 09/855,334

Filed: September 19, 2001

Applicant: Hiroshi KAWAI

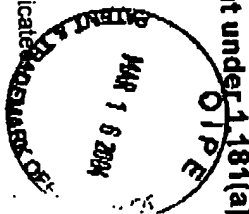
Papers filed herewith on: March 16, 2004

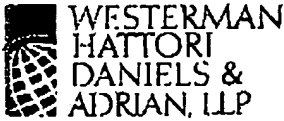
Other: Petition to Withdraw Holding of Abandonment under 1.181(a)
Amendment as filed on November 21, 2003
Postcard Receipt dated November 21, 2003

COMMISSIONER OF PATENTS

Receipt is hereby acknowledged of the papers filed as indicated
in connection with the above-identified case.

MNL/asc





FACSIMILE

1250 Connecticut Avenue, NW – Suite 700
Washington, DC 20036

Tel: (202) 822-1100
Fax: (202) 822-1111

Date: January 27, 2005

To: Examiner Dexter, Clark F
U.S. Patent and Trademark Office

Re: U.S. Patent Application Serial No. 09/955,334
By: Hiroshi KAWAI et al.
Title: Turret Punch Press
Our Reference: 011109

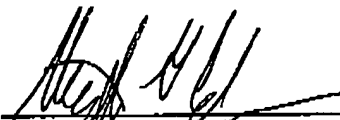
Fax Number: 571-273-4505

Number of Pages: 12 (including cover sheet)

From: Stephen G. Adrian SGA/arf

PLEASE ACKNOWLEDGE SAFE AND CLEAR RECEIPT OF ALL PAGES BEING SENT

Attached is a copy of the Petition filed March 16, 2004 with date stamped postcard.



Stephen G. Adrian

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